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### REMARKS

Claims 1-20 are pending herein. Claims 1 and 11, the only independent claims, have each been amended herein to further clarify the subject matter of Applicants' invention.

#### Rejection of Claims 1 and 4 under 35 U.S.C. 102(b)

Claims 1 and 4 were rejected under 35 U.S.C. 102(b) as being anticipated by Roberts, Jr. (US Patent No. 6,223,050, hereinafter "Roberts").

Claims 2, 3 and 5-10 were rejected under 35 U.S.C. 103(a) as being unpatentable over Roberts in view of Gu et al. (US Patent No. 5,881,023, hereinafter "Gu"); Claims 11-15 and 17 were rejected as being unpatentable over Cannon et al. (US Patent No. 6,574,318, hereinafter "Cannon"); and Claims 16 and 18-20 were rejected as being unpatentable over Cannon in view of Doughty (US Patent No. 4,582,956, hereinafter "Doughty") and further in view of Roberts.

In view of the foregoing amendments and the following remarks, each of the rejections under 35 U.S.C. 102(b) and 103(a) is respectfully traversed and reconsideration is requested.

Independent Claim 1 is directed to a method for providing time-of-day data to a networked consumer product device. A telephony signal including time-of-day data is received and the time-of-day data is extracted from the telephony signal. The time-of-day data is transmitted to the networked consumer product device over a communication network.

Applicants respectfully submit that Roberts is directed to a method and a cellular mobile radiotelephone(CMR) system for setting time and date of a remote timepiece system based upon a time stamp transmitted over a data channel of the CMR system (see Claims 1 and 3 and column 7, line 5- column 8, line 65). The remote time piece 400, which the Action alleges is analogous to the apparatus of Claims 1 and 11 of the Applicants' invention, "receives data messages" and "uses the time stamp included in the data message to synchronize a free running clock 406 in the remote timepiece 400"(see column 8, lines 37-53). However, the remote time piece 400 does not teach or suggest transmitting the time stamp (again, which is allegedly analogous to the time of day data of Applicants' invention) to *other external consumer products which communicate with the remote timepiece 400 over network* (see figures 1-4 of Roberts).

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Independent Claim 11, as amended herein, is directed to an apparatus for providing time-day data to at least one networked consumer product device. The apparatus comprises a data receiver for receiving a telephony signal that includes time-of-day data, a processor for transforming the time-of-day data in accordance with a network protocol, and an interface arrangement for transmitting the time-of-day data to the networked consumer product device over a communication network.

Applicants respectfully submit that Cannon is directed to a call related information detector/receiver system which is capable of synchronization or data transfer over a telephone line with another call related information detector/receiver. Calling parties 160a-c transmit "call related information to the first call related information detector/receiver system 120a". Remote data synchronization modules 100a, 100b included in respective information detector/receiver systems 120a, 120b coordinate transmission and reception of data between both information detector/receiver systems 120a, 120b. Then, the first call related information detector/receiver system 120a transmits "the call related information to the second call related information detector/receiver system 120b over the telephone line". The telephone call over the telephone line is "established by remote customer premises equipment 187 associated with the second call related information detector/receiver system 120b" and the customer premises equipment is a common telephone (See column 4, lines 18-44 of Cannon).

Cannon does *not* teach or suggest "an interface for transmitting time of day data to the networked consumer product device", as recited in amended independent Claim 11. Cannon's detector/receiver system transfers call related information between two telephones. The detector/receiver system 120a, 120b, which the Action acknowledges as analogous to the apparatus of the Applicants' invention, merely transfers call related information between two telephones for telephone calls, and does not transmit received information to other networked consumer products.

Gu and Doughty similarly fail to teach or suggest the above feature of Applicant's invention as defined by amended independent Claim 11.

For at least the foregoing reasons, it is respectfully submitted that independent Claims 1 and 11, as amended herein, are patentable over any permissible combination of the teachings of Roberts, Cannon, Gu and Doughty.

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Claims 2-10 and 12-20 are dependent on, and contain all the limitations of, one or the other of independent Claims 1 and 11, and as such are submitted to be patentable for at least the same reason as Claims 1 and 11.

Accordingly, Applicants respectfully request reconsideration and withdrawal of the outstanding claim rejections under 35 U.S.C. 102(b) and 103(a).

### **CONCLUSION**

Applicants submit that Claims 1-20 are presently in condition for allowance, early notification of which is earnestly solicited. Should the Examiner be of the view that an interview would expedite consideration of this Amendment or of the application at large, request is made that the Examiner telephone the Applicants' undersigned attorney at (908) 518-7700 in order that any outstanding issues be resolved.

### **FEES**

The Office is authorized to charge any fees required to deposit account number 50-1047.

Respectfully submitted,



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